

SIKKIM



GOVERNMENT

GAZETTE

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No. 09

**GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS, TRAINING & PUBLIC
GRIEVANCES
GANGTOK-SIKKIM**

No: 61 /GEN/DOP

Dated: 7/1/2016

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Sikkim hereby makes the following rules, namely:-

**Short title and
commencement**

1. (1) These rules may be called the Sikkim State Legal Metrology Service Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.

Definition

2. In these rules, unless the context otherwise requires:-
 - (a) "appointed day" means the date, from which the provisions of these rules comes into force;
 - (b) "Cadre Post" means any of the post specified in Schedule-I;
 - (c) "Commission" means the Sikkim Public Service Commission;
 - (d) "Committee" means the committee constituted under rule 10;
 - (e) "Controlling Authority" means the Government in the Department of Personnel, Administrative Reforms, Training, and Public Grievances;
 - (f) "day" means a calendar day beginning and ending at midnight;
 - (g) "Government" means the Government of Sikkim;
 - (h) "Governor" means the Governor of Sikkim;
 - (i) "Member of the service" means a member of the Sikkim State Legal Metrology Service;
 - (j) "Schedule" means the Schedule appended to these rules;

- (k) "service" means the Sikkim State Legal Metrology Service;
- (l) "State" means the State of Sikkim;
- (m) "Year" means the financial year commencing on the 1st day of April and ending on the 31st day of March next following;

Constitution of service	3.	There shall be constituted a service to be known as the Sikkim State Legal Metrology Service consisting of persons appointed to the service under rule 7 and 8.
Authorized Strength, composition of service and scale of pay	4.	The authorized strength, composition of the service and scale of pay admissible to the members of the service shall be as indicated in Schedule- I at initial Constitution and shall be as determined by the Governor from time to time.
Members of service:	5.	<p>(1) The following category of persons shall be the members of the service, namely:-</p> <ul style="list-style-type: none"> (a) Person (s) appointed at the initial constitution under rule 7; (b) Persons appointed to the service under rule 8; <p>(2) The person(s) appointed under clause (a) of sub-rule(1) shall, on such appointment, be deemed to be a member of the service in the appropriate grade applicable to him or her in Schedule-I from appointed day.</p> <p>(3) The person appointed under clause (b) of sub-rule(1) shall be the member of the service in the appropriate grade applicable to him or her in Schedule-I from the date of such appointment</p>
Appointments and postings	6.	<p>(1) All appointments after the appointed day to the cadre post shall be made by the Government by the methods as specified in rule 8.</p> <p>(2) No post in the service shall be filled as a temporary measures by a persons other than the member of cadre service.</p> <p>(3) The Member of the service may, in public interest be posted anywhere in the State by the Government to any cadre post or under any other Government or under any organization on such terms and conditions as may be specified by the Government</p>
Initial constitution of service	7.	All persons holding, on the appointed day any of the cadre post on a regular basis, otherwise than as a purely temporary arrangement or on contract or on deputation from central or any other Government shall be deemed to have been appointed to the corresponding posts and grades in the service.
Method of recruitment to the service	8.	Any vacancy arising in any of the grade, after the appointed day, shall be filled up in the manner provided in Schedule-II

- Recruitment by promotion:** 9. The Government shall for the purpose of promotion to the service prepare a list of persons in order of seniority who have completed required length of service as per the Schedule-II subject to vacancy.
- Selection Committee** 10. There shall be a selection committee consisting of the following members, namely:-
- (a) Chairman, Sikkim Public Service Commission
 - (b) Members, Sikkim Public Service Commission.
 - (c) Secretary to the Government, Department of Personnel Administrative Reforms, Training, Public Grievances.
 - (d) Secretary to the Government of the Department concerned.
 - (e) Secretary to the Government to be nominated by the Government.
- The commission may co-opt any expert or subject specialist to assist the Selection committee in making the selection
- Seniority:** 11. The provisions laid down in the Sikkim State Service (Regulation of Seniority) Rules, 1980, as amended from time to time, shall apply to the members of the service for the purpose of determining the seniority.
- Administrative Control** 12. The control over the service including appointment, transfers and deputation shall vest in the Government in the Department of personnel, Administrative Reform, Training Public Grievances.
- Residuary matters:** 13. All other matters in relations to the service not specified or for which no provision has been made in these rules shall be regulated by the rules and orders applicable to other officers of the Government of equivalent status.
- Interpretation:** 14. If any question arises as to the interpretation of these rules, the decision of the Government thereon shall be final.
- Supersession** 15. This rule supersedes the notification no: 56/Gen/Est dated 21.5.1991, Notification no. 84/Gen/Est dated 23.6.1988 and notification no; 132/Gen/Est. dated 8.4.2005.
- Power to relax:** 16. Where the Government is of the opinion that it is necessary or expedient to do so; it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons or posts.

BY ORDER IN THE NAME OF GOVERNOR.

**TENZING GELEK, IAS
COMMISSIONER-CUM-SECRETARY TO THE GOVERNMENT
DEPARTMENT OF PERSONNEL, ADM. REFORMS,
TRAINING AND PUBLIC GRIEVANCES**

SCHEDULE-I

{See rule -4) }

Authorized Strength, compositions of service and scale of pay.

Sl. No.	NAME OF POST	GRADE	PAY BAND AND GRADE	NUMBER OF POSTS
(1)	(2)	(3)	(4)	(5)
1.	Assistant Controller	Junior Grade	PB-2- 9300-34800 GP-5000	4
2.	Deputy Controller	Senior Grade	PB-3-15600-39100-GP-6200	4
3.	Joint Controller	Selection Grade-II	PB-3-15600-39100-GP-7200	2
4.	Additional Controller	Selection Grade-I	PB-3-15600-39100-GP-8700	1

SCHEDULE-II

{See rule-8}

Sl.No.	Name of Post	Grade	Method of recruitment	Eligibility Conditions.
1.	Assistant Controller	Junior grade	100% by promotion	Members of Sikkim State Subordinate Legal Metrology Service who have completed 6 (six) years of regular service as Inspector
2.	Deputy Controller	Senior grade	100% by promotion	Members of service in Junior Grade with minimum of 6 (six) years of service in that grade subject to availability of vacancy.
3.	Joint controller	Selection grade-II	100% by promotion	Members of service in the Senior Grade with a minimum of 6 (six) years of service in that grade subject to availability of vacancy
4.	Additional Controller	Selection grade-I	100% by promotion	Members of service in the Selection Grade-II with a minimum of 4 (four) years of service in that grade subject to availability of vacancy